

REMARKS**Summary of the Office Action**

In the Office Action dated March 27, 2003, claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,313,508 to Ditman et al. (hereinafter "Ditman").

Summary of the Response to the Office Action

Applicant traverses the rejection of independent claims 1 and 2. Applicant added new claims 3-8. Accordingly, claims 1-8 are now pending in this application.

The Rejection under 35 U.S.C. § 102(b)

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ditman. Applicant amended claim 2 to correct a minor informality. Applicant respectively submits that this amendment is not being made to overcome any prior art. Applicant further submits that no subject matter is being relinquished by this amendment.

Applicant respectively traverses the rejection of independent claims 1 and 2 and the Office Action's interpretation of Ditman for the following reasons.

Independent claim 1 recites a method of detecting a plate-shaped or sheet-shaped body with an optical sensor, comprising the following steps:

arranging a first optical sensor in parallel with one face of the body; arranging a second optical sensor in parallel with the other face of the body and in parallel with the first optical sensor. (Emphasis added)

Applicant respectfully submits that Ditman does not teach or suggest the method of detecting a plate-shaped or sheet-shaped body with an optical sensor of the instant invention with at least the features of claim 1 recited above.

Independent claim 2 recites a detector for a plate-shaped or sheet-shaped body that includes:

a first optical sensor including a first light emitting section and a first light receiving section opposed to each other at a first interval, said first optical sensor arranged in parallel with one face of the body; and a second optical sensor including a second light emitting section and a second light receiving section opposed to each other at a second interval, said second optical sensor arranged in parallel with the other face of the body and in parallel with said first optical sensor. (Emphasis added)

Applicant respectfully submits that Ditman does not teach or suggest the detector for a plate-shaped or sheet-shaped body of the instant invention with at least the features of claim 2 recited above.

In the instant invention as recited in claims 1 and 2, a pair of optical sensors is arranged such that the first optical sensor (comprising a first light emitting section and a corresponding first light receiving section) is disposed in parallel with one face of the body, while the second optical sensor (comprising a second light emitting section and a corresponding second light receiving section) is disposed in parallel with the first optical sensor. On the contrary, as recited throughout Ditman, each pair of optical sensors in Ditman is positioned to provide a pair of crossed light beams. Applicant respectfully submits that the following recitations clearly illustrate distinctions between the instant invention and Ditman:

1) the recitation at column 1, lines 64-67 of Ditman: “a pair of light sources are oriented to provide crossing light beams that extend across the passageway.”

2) the recitation at column 2, lines 16-19 of Ditman: “the apparatus including a pair of angularly positioned light sources to provide crossing light beams that extend across a passageway through which articles to be sensed are conveyed.”

3) the recitation at column 4, lines 9-14 of Ditman:

In that regard the present invention includes a pair of crossed light beams with associated detectors, as shown in FIG. 7. A first radiant energy source 30 is disposed to emit an elongated first radiant energy beam to extend across a sensing plane 32 in a first direction.

4) the recitation at column 4, lines 19-23:

A second radiant energy source 36 is disposed at substantially a 90° angle to first radiant energy source 30 to emit a second elongated radiant energy beam to extend across sensing plane 32 in a direction perpendicular to the direction of the first beam.

In view of the foregoing remarks, Applicant respectfully submits that Ditman does not teach or suggest each feature of independent claim 1, nor independent claim 2. As pointed out in MPEP § 2131, “[to] anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art of reference. Verdegaal Bros. V. Union Oil Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Thus, Applicant respectfully submits that independent claims 1 and 2 are in condition for allowance as not being anticipated by Ditman. Accordingly, Applicant respectfully requests that the rejection of claims 1 and 2 under 35 U.S.C. § 102(b) be withdrawn.

Newly Added Claims 3-8

Applicant has added new claims 3-8 to describe differently the subject matter of the invention. Applicant respectfully submits that no new matter is being introduced in these claims as they are supported by the disclosure in the specification and drawings as filed.

Applicant submits that newly added independent claim 3 and dependent claims 4-8 are allowable over the art of record.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application, withdrawal of all rejections and objections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

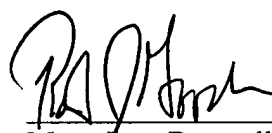
Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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By:

for

 Robert J. Goodell
Reg. No. 41,040
Mary Jane Boswell
Registration No. 33,652

Customer No. 09629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: (202) 739-3000

Facsimile: (202) 739-3001